

REMARKS

The present Amendment amends claim 1. Therefore, the present application has pending claim 1.

Claim 1 stands rejected under 35 USC §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regards as the invention. Various amendments were made throughout claim 1 to bring it into conformity with the requirements of 35 USC §112, second paragraph. Therefore, this objection is overcome and should be withdrawn.

Particularly, amendments were made to claim 1 to overcome the objections noted by the Examiner in the Office Action.

The Examiner's cooperation is respectfully requested to contact Applicants' Attorney by telephone should any further indefinite matters be discovered so that appropriate amendments may be made.

Claim 1 stands rejected under 35 USC §102(b) as being anticipated by Hiroshige (U.S. Patent No. 5,747,901). This rejection is traversed for the following reasons. Applicants submit that the features of the present invention as now recited in claim 1 are not taught or suggested by Hiroshige whether taken individually or in combination with any of the other references of record. Therefore, Applicants respectfully request the Examiner to reconsider and withdraw this rejection.

Amendments were made to claim 1 so as to more clearly recite that the present invention is directed to a telephone connected to a local area network performing voice communications with another telephone through the local area network. According to the present invention the telephone includes means, operable

during voice communication with a transfer-source telephone connected to the local area network, for calling a transfer-destination telephone by requesting a response from the transfer-destination telephone indicating its availability to connect a call upon receipt of a demand to transfer the voice communication to the transfer-destination telephone, means for notifying an address of the transfer-destination telephone to the transfer-source telephone upon receipt of a response from the transfer-destination telephone indicating its availability to connect a call, and means for continuing the voice communication with the transfer-source telephone when the transfer-destination telephone does not return a response to the request indicating its availability to connect a call, thereby indicating that the transfer-destination telephone is not available to connect a call.

Thus, as is quite clear from the above, the present invention provides a technology for transferring a call, currently being conducted, to another telephone by notifying an address of the transfer-destination telephone to the transfer-source telephone upon receipt of a response from the transfer-destination telephone indicating that it is available to connect a call and continuing the voice communication with the transfer-source telephone when the transfer-destination telephone does not return a response to the request, thereby indicating it is not available to connect a call.

The above described features of the present invention now more clearly recited in the claims are not taught or suggested by Hiroshige.

Hiroshige teaches a call transfer system which includes an information processing system accommodating a plurality of terminals each having input means

and a telephone exchange system accommodating a plurality of telephones interrelated to the respective terminals. As taught by Hiroshige, the information processing system monitors an input operation performed by the input means of each of the terminals and transmits information indicative of the input operation to the telephone exchange system so that the telephone exchange system controls a call transfer operation based on the information on the input operation transmitted from the information processing system. Hiroshige teaches that the telephone exchange system transfers a call received by a telephone to a predetermined transfer destination if no input operation is performed at the terminal corresponding to the telephone and does not transfer the call if an input operation is performed at the terminal.

The above described teachings of Hiroshige are entirely different from that of the present invention as now more clearly recited in the claims. According to the present invention as now more clearly recited in the claims means is provided, operable during voice communication with a transfer-source telephone connected to the local area network, for calling a transfer-destination telephone by requesting a response from the transfer-destination telephone indicating its availability to connect a call upon receipt of a demand to transfer the voice communication to the transfer-destination telephone. In the Office Action, the Examiner alleges that this feature of the present invention corresponds to the function in Hiroshige of indicating availability through the presence or absence of the user of the telephone. This function as taught by Hiroshige is not an active function corresponding to the present invention which requires that the transfer-destination telephone provide a response

in the form of a communication indicating whether it is available to connect a call or not. Such an active function is not taught or suggested by Hiroshige.

Further, according to the present invention, other activity is performed including, for example, notifying the transfer-source telephone of the address of the transfer-destination telephone if the response communication from the transfer-destination telephone indicates its availability to connect a call. Since Hiroshige does not teach or suggest any type of active function particularly as it relates to sending a response indicating the availability of the transfer-destination telephone it follows that Hiroshige does not teach or suggest the notifying of the address of the transfer-destination telephone as in the present invention.

Still further, according to the present invention, the voice communication with the transfer-source telephone is continued if the transfer-destination telephone does not return a response in the form of a communication to the transfer-source telephone indicating its availability to connect a call. If such a response is not provided from the transfer-destination telephone according to the present invention it is determined that the transfer-destination telephone is not available to connect a call and thus the voice communication should continue as previously set. Such features are clearly not taught or suggested by Hiroshige.

Thus, Hiroshige fails to teach or suggest means, operable during voice communication with a transfer-source telephone connected to the local area network, for calling a transfer-destination telephone by requesting a response from the transfer-destination telephone indicating its availability to connect a call upon

receipt of a demand to transfer the voice communication to the transfer-destination telephone as recited in the claims.

Further, Hiroshige fails to teach or suggest means for notifying an address of the transfer-destination telephone to the transfer-source telephone upon receipt of a response from the transfer-destination telephone indicating its availability to connect a call as recited in the claims.

Still further, Hiroshige fails to teach or suggest means for continuing the voice communication with the transfer-source telephone when the transfer-destination telephone does not return a response to the request indicating its availability to connect a call, thereby indicating that the transfer-destination telephone is not available to connect a call as recited in the claims.

Therefore, as is quite clear from the above, the features of the present invention as now more clearly recited in the claims are not taught or suggested by Hiroshige whether taken individually or in combination with any of the other references of record. Accordingly, Applicants respectfully request the Examiner to reconsider and withdraw the 35 USC §102(b) rejection of claim 1 as being anticipated by Hiroshige.

The remaining references of record have been studied. Applicants submit that they do not supply any of the deficiencies noted above with respect to the reference utilized in the rejection of claim 1.

In view of the foregoing amendments and remarks, Applicants submit that claim 1 is in condition for allowance. Accordingly, early allowance of the present application based on claim 1 is respectfully requested.

To the extent necessary, the applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (648.40708X00).

Respectfully submitted,

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